



WWW.RIVKINRADLER.COM

926 RXR Plaza
Uniondale, NY 11556-0926
T 516.357.3000 F 516.357.3333

JOANNE ENGELDRUM

PARTNER

(516) 357-3254

joanne.engeldrum@rivkin.com

September 13, 2023

Via ECF

Hon. Jennifer H. Rearden
United States District Judge
United States District Court
Southern District of New York
500 Pearl Street, Room 1010
New York, New York 10007

Re: *The Charter Oak Fire Insurance Company v. Old Republic Insurance Company, et al.*, No. 23-cv-05952-JHR
RR File No.: 004584-00517

Your Honor:

We represent Plaintiff, The Charter Oak Fire Insurance Company, in the above action. In accordance with Your Honor's September 13 Order, we write to advise the Court of the relationship of Defendant, Burgess Steel Erectors of New York, LLC ("Burgess Steel"), to this action.

In this action, Plaintiff seeks a declaration that Defendant, Old Republic Insurance Company ("Old Republic"), owes additional insured coverage to Non-Party, Icon Interiors, Inc. ("Icon"), under a liability policy issued by Old Republic to Burgess Steel (the "Old Republic Policy"). Plaintiff is not seeking relief from Burgess Steel. Plaintiff named Burgess Steel as a defendant in this action because Plaintiff views Burgess Steel as an interested party; Burgess Steel is the named insured under the Old Republic Policy under which Plaintiff is seeking additional insured coverage for Icon and Burgess Steel may want to take a position as to the claim for coverage under its policy.

Respectfully submitted,

RIVKIN RADLER LLP

Joanne Engeldrum

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